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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,402	04/18/2002	Philip Lee Childs	RPS920010190	7874

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EXAMINER	
BHATIA, AJAY M	

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/063,402	CHILDS ET AL.	
	Examiner	Art Unit	
	Ajay M. Bhatia	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 July 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-15 and 17-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-15 and 17-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Arguments

Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Examiner accepts the assertion by the applicant that all trusted messages within the current application are encrypted and therefore is withdrawing the 112 rejections directed toward claim 6 and 13.

Examiner notes claims 2, 16 have been canceled. Claims 1, 2-15 and 17-23 are pending.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 15, 17-20, and 22 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Rejected claim(s) do not clearly define the claimed invention as a tangible embodiment therefore claim(s) are non-statutory. MPEP § 2105, states that an article of manufacture must be made from raw materials. Applicant may include the limitation "contained on a tangible embodied computer readable medium" to over come this rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-7, 9-13, 15, 17-20, and 23 rejected under 35 U.S.C. 102(b) as being anticipated by Batten-Carew et al. (U.S. Patent 5,968,177).

For claim 1, Batten-Carew teaches, a method for autonomic administration isolation for a secure remote management in a computer network, the method comprising:

(a) isolating administrative access to a plurality of client systems in a computer network via a data center; (see Batten-Carew , figure 1, Col. 6 lines 9-22)

and (b) utilizing the data center to control remote initiation of services in the plurality of client systems by an administrator system, the administrator system being a computer through which an administrator manages at least one of the plurality of clients systems, wherein utilizing the data center further includes; (see Batten-Carew , figure 1, Col. 6 lines 9-22)

(b1) verifying authentication of the administrator system by the data center. (see Batten-Carew , Col. 4 lines 32-44, Col. 6 lines 42-52, Col. 7 line 65 to Col. 8 line 14)

For claim 3, Batten-Carew teaches, the method of claim 1 wherein the utilizing step (b) further comprises (b2) receiving a service command from the authenticated

administrator system in the data center. (see Batten-Carew , Col. 4 lines 32-44, Col. 6 lines 9-22, l. 6 lines 42-52, Col. 7 line 65 to Col. 8 line 14)

For claim 4, Batten-Carew teaches, the method of claim 3 wherein the utilizing step (b) further comprises (b3) determining in the data center whether the authenticated administrator system has authorization to perform the service command in the at least one managed client system. (see Batten-Carew , Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14)

For claim 5, Batten-Carew teaches, the method of claim 4 wherein the utilizing step (b) further comprises (b4) issuing a trusted message from the data center to the at least one managed client system when the authenticated administrator system does have authorization to perform the service command. (see Batten-Carew , Col. 4 lines 45-57, Col. 7 lines 30-34, Col. 7 lines 35-48, Col. 7 line 65 to Col. 8 line 14)

For claim 6, Batten-Carew teaches, the method of claim 5 further comprising (c) validating and decrypting the trusted message in the at least one managed client system to perform the service command. (see Batten-Carew , Col. 4 lines 45-57, Col. 6 lines 9-22, Col. 7 lines 30-34, Col. 7 lines 35-48, Col. 7 line 65 to Col. 8 line 14)

For claim 7, Batten-Carew teaches, an autonomic system for selective administration isolation for secure remote management in a computer network, the system comprising:

a network; (see Batten-Carew , Col. 3 lines 20-26, Col. 5 lines 24-34)

at least one administrator system coupled to the network, the at least one administrator system operable to transmit one or more service commands for managing one or more client systems; (see Batten-Carew , Col. 6 lines 9-22)

at least one client system coupled to the network; (see Batten-Carew , Col. 3 lines 20-26, Col. 5 lines 24-34)

and a data center coupled ot the at least one administrator system and to the at least one client system via the network, the data center for:

isolating administrative access to the at least one client system and controlling remote initiation of services in the at least one client system by the at least one administrator system including. (see Batten-Carew , Col. 6 lines 9-22, Col. 4 lines 45-57, Col. 7 lines 30-34, Col. 7 lines 35-48, Col. 7 line 65 to Col. 8 line 14)

For claim 9, Batten-Carew teaches, the system of claim 7 wherein the data center verifies authentication of the at least one administrator system. (see Batten-Carew , Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14)

For claim 10, Batten-Carew teaches, the system of claim 7 wherein the authentication of a second user associated with the data center includes a user ID and password known only to the data center includes a user ID and password known only to the data center and an agent running on the at least one client system. (see Batten-Carew, Col.

6 lines 9-22, Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14)

For claim 11, Batten-Carew teaches, the system of claim 9 wherein the data center determines whether the authenticated administrator system had authorization to perform the service command in the at least one client system prior to issuing the trusted message to the at least one client system. (see Battent-Carew, Col. 4 lines 45-57, Col. 7 lines 30-34, Col. 7 lines 35-48, Col. 7 line 65 to Col. 8 line 14)

For claim 12, Batten-Carew teaches, the system of claim 11 wherein the data center issues a trusted message to the at least one client system when the authenticated administrator system does have authorization to perform the service command. (see Batten-Carew , Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14)

For claim 13, Batten-Carew teaches, the system of claim 12 wherein the at least one client system validates and decrypts the trusted message to perform the service command. (see Batten-Carew , Col. 4 lines 45-57, Col. 7 lines 30-34, Col. 7 lines 35-48, Col. 7 line 65 to Col. 8 line 14)

For claim 15, Batten-Carew teaches, a computer readable medium containing program instruction for autonomic administration isolation in a computer network for a secure remote management, the program instruction for:

(a) isolating administrative access to plurality of client systems in a computer network via a data center; (see Batten-Carew , Col. 6 lines 9-22, Col. 4 lines 45-57, Col. 7 lines 30-34, Col. 7 lines 35-48, Col. 7 line 65 to Col. 8 line 14)

and (b) controlling remote initiation of services in the plurality of client system by an administrator system via the data center, the administrator system being a computer through which an administrator manages at least one of the plurality of client systems, wherein controlling remote initiation of services via the data center includes; (see Batten-Carew , Col. 6 lines 9-22, Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14)

(b1) verifying authentication of the administrator system by the data center. (see Batten-Carew , Col. 4 lines 32-44, Col. 6 lines 42-52, Col. 7 line 65 to Col. 8 line 14)

For claim 17, Batten-Carew teaches, the computer readable medium of claim 15 wherein controlling remote initiation service via the data center further includes (b2) receiving a service command from the authenticated administrator system in the data center. (see Batten-Carew , Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14, Col. 4 lines 32-44, Col. 6 lines 42-52)

For claim 18, Batten-Carew teaches, the computer readable medium of claim 17 wherein controlling remote imitation of service via the data center further includes (b3) determining the data center whether the authenticated administrator system has authorization perform the service command in the at least one managed client system. (see Batten-Carew , Col. 4 lines 32-44, Col. 6 lines 42-52, Col. 7 line 65 to Col. 8 line 14, Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57)

For claim 19, Batten-Carew teaches, the computer readable medium of claim 18 wherein controlling remote initiation of service via the data center further (b 4) issuing a trusted message from the data center to the at least one managed client system when the authenticated administrator system does have authorization to perform the service command. (see Batten-Carew , Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14, Col. 6 lines 9-22)

For claim 20, Batten-Carew teaches, the computer readable medium of claim 19 further comprising (c) validating and decrypting the trusted message in the at least one managed client system to perform the service command. (see Batten-Carew , Col. 6 lines 9-22, Col. 4 lines 45-57, Col. 7 lines 30-34, Col. 7 lines 35-48, Col. 7 line 65 to Col. 8 line 14)

For claim 23, Batten-Carew teaches, a system for secure remote management in a network, the system comprising:

an administrator system coupled to a network, the administrator system being a computer through which an administrator transmits a service command for managing a client system; (see Batten-Carew , Col. 6 lines 9-22, Col. 4 lines 45-57, Col. 7 lines 30-34, Col. 7 lines 35-48, Col. 7 line 65 to Col. 8 line 14)

a client system coupled to the network; (see Batten-Carew , Col. 3 lines 20-26, Col. 5 lines 24-34)

and a data center coupled to the administrator system and to the client system thought the network, the data center operable to; (see Batten-Carew , Col. 6 lines 9-22)

received a service command from the administrator system; (see Batten-Carew , Col. 6 lines 9-22, Col. 4 lines 45-57, Col. 7 lines 30-34, Col. 7 lines 35-48, Col. 7 line 65 to Col. 8 line 14)

and determine whether the administrator system had administrative access to the client system including verifying authentication of the administrator system; (see Batten-Carew , Col. 4 lines 32-44, Col. 6 lines 42-52, Col. 7 line 65 to Col. 8 line 14)

if the administrator system administrative access to the client system, the data center is further operable to control remote initiation of a service in the client system based on the service command received form the administer system. (see Batten-Carew , Col. 6 lines 9-22, Col. 4 lines 45-57, Col. 7 lines 30-34, Col. 7 lines 35-48, Col. 7 line 65 to Col. 8 line 14)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 8, 21, and 22 rejected under 35 U.S.C. 103(a) as being unpatentable over Batten-Carew et al. in view of Davis (U.S. Patent 6,181,803).

For claim 8, Batten-Carew teaches, he system of claim 7 wherein the at least one administrator system includes authentication capabilities. (see Batten-Carew , Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14)

Batten-Carew fails to clearly disclose, via an embedded security chip for unique system identification and biometric identification for unique user identification.

Davis teaches, via an embedded security chip for unique system identification and biometric identification for unique user identification. (see Davis, Col. 2 lines 50-57)

It would have been obvious to on of ordinary skill in the art at the time of the invention was made to combine Batten-Carew's method of remote administration via a server interface with Davis' method of biometric authentication in order to create a more secure authentication system. It is well known in the art that passwords are a weak

means of authentication and that biometrics provides an added level of security beyond just normal passwords. (see Davis, Col. 3 lines 35-45, Davis provided for the use of the authentication system with a computer)

For claim 21, Batten-Carew--Davis teaches, the method of claim 1, wherein:

the administrator system includes and emended security chip; (see Davis, Col. 3 lines 35-45 and see Batten-Carew , Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14)

and verifying the authentication of the administrator system includes identifying a unique identifier associate with the embedded security chip. (see Davis, Col. 3 lines 35-45 and see Batten-Carew , Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14)

For claim 22, Batten-Carew--Davis teaches, the computer readable medium of claim 15, wherein:

the administrator system includes an embedded security chip; (see Davis, Col. 3 lines 35-45 and see Batten-Carew , Col. 3 lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14)

and the program instruction for verifying authentication of the administrator system includes instruction for identifying a unique identifier associate with the embedded security chip. (see Davis, Col. 3 lines 35-45 and see Batten-Carew , Col. 3

lines 41-61, Col. 4 lines 12-21, Col. 4 lines 32-44, Col. 4 lines 45-57, Col. 7 line 65 to Col. 8 line 14)

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Batten-Carew et al.

Batten-Carew fails to clearly disclose, the system of claim 9 wherein the network further comprises a world wide web network.

It would have been obvious to on of ordinary skill in the art at the time of the invention was made to make use of the world wide web as a network in order to support easy support, inexpressive overhead cost, and remote availability. (see Batten-Carew , Col. 3 lines 20-26, which provide support that user computer are in remote locations)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached UPSTO 892 (if appropriate).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay M. Bhatia whose telephone number is (571)-272-3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AB

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